

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOHN MCBREARTY, et al.

v.

**DELAWARE COUNTY SHERIFFS
DEPARTMENT, et al.**

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CIVIL ACTION

NO. 02-4553

ORDER

AND NOW, this day of July, 2003, upon consideration of plaintiffs' Petition for Council Expenses (Doc. #29), and all responses thereto, as plaintiffs' claims may be facially meritorious; as the claims do not entail particularly complex issues; as the key discovery would appear to encompass records and statements of personnel which readily can and should be made available to plaintiffs by defendants; as credibility determinations may have to be made as is invariably so in the myriad of cases where a law enforcement or governmental official denies that he did or failed to do that which a § 1983 plaintiff asserts but that no unique issues or problems regarding such determinations appear to be present; and, as plaintiffs have demonstrated their ability adequately to present their case, **IT IS HEREBY ORDERED** that said petition is **DENIED** with the understanding that defense counsel will conduct discovery and other proceedings in a manner appropriate for such a pro se case.

BY THE COURT:

LEGROME D. DAVIS, J.